

**PUBLIC WORKS & TRANSPORTATION COMMITTEE  
of the  
Suffolk County Legislature**

**Minutes**

A regular meeting of the Public Works & Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on **July 29, 2003**.

**Members Present:**

Legislator Brian Foley - Vice-Chair  
Legislator Andrew Crecca  
Legislator George Guldi  
Legislator William Lindsay

**Members Not Present:**

Legislator Joseph Caracappa - Excused

**Also in Attendance:**

Phyllis A. McAlevey - Aide to Legislator Caracappa  
Fran Siems - Aide to Presiding Officer Postal  
Tim Laube - Aide to Legislator Lindsay  
Jim Spero - Deputy Director/Budget Review Office  
John Ortiz - Budget Analyst/Budget Review Office  
Catherine Stark - Intergovernmental Relations/County Executive Office  
Charles Bartha - Commissioner/SC Public Works Department  
Richard LaValle - Chief Deputy Commissioner/SC Public Works Department  
Leslie Mitchel - Deputy Commissioner/SC Public Works Department  
Bob Shinnick - Director-Transportation Division/Dept of Public Works  
Ben Wright - Director-Sanitation Division/Department of Public Works  
Tom LaGuardia - Facilities Division/Department of Public Works  
Peter Quinn - Long Island Coalition for Democracy  
Ned Hurley - Sayville Ferry Service  
George Hafete - Fire Island Ferries  
Ken Stein - Sayville Ferry Service  
All Other Interested Parties

**Minutes Taken By:**

Alison Mahoney - Court Stenographer

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(\*The meeting was called to order at 3:21 P.M.\*)

VICE-CHAIRMAN FOLEY:

If you can all please stand. We'll have John Ortiz lead us in the Pledge of Allegiance.

Salutation

Good afternoon. I would like to welcome everyone to today's Public Works and Transportation Committee meeting, Tuesday, July 29 at 3 PM. Legislator -- the Chair of the committee, Legislator Caracappa, was unavailable to chair today's meeting so he's asked me to chair it.

We have two cards that have been filled out for people to speak on several issues. First we'll have the ubiquitous Peter Quinn step forward; Pete? And he is here representing the Long Island Coalition for Democracy and the topic is two transit proposals. Mr. Quinn, the floor is yours.

MR. QUINN:

Good afternoon. When everyone thinks of transit the two operative words that come to mind are congestion and safety with a goal to minimizing the former and maximizing the latter. That's why at the Metropolitan Transportation -- New York Metropolitan Transportation Council meeting in Hauppauge a week to ten days ago I had proposed an elevated rail from Babylon through Great River, veering north to Sunrise, going east to Johnson Avenue and up to the airport. The idea is to eliminate some seven grade crossings, open up some 20 streets that are currently blocked by the rail line and --

VICE-CHAIRMAN FOLEY:

Yes, sir

MR. QUINN:

And provide the -- an elimination of any potential danger at the current railroad crossings limiting the congestion that occurs whenever those tracks have to be repaired or when trains go through. But the additional point was to add a cargo hub at the airport rather than the one that's proposed at Pilgrim State. The idea being that the rail -- there should be some kind of seamless interconnectedness between cargo, rail and air, and much of our cargo is shipped by air. And one way to bring it from the city and elsewhere is to -- if it's coming out to Long Island, is to it by rail and that currently doesn't exist. So by having a truck hub at the airport, it would enhance the opportunity for trucks to go short distances rather than long ones and

then work with the Suffolk -- the Nassau County Executive to provide a similar truck hub in Nassau County right in the middle of Nassau County on the south shore to do the same thing for Nassau. That -- with two hubs rather than a single one, it would create much shorter distances and eliminate some of the huge trucks that pervade our roadways. That was one issue.

And the other issue dealt with the Solar Port legislation which this Legislature, you as members of this Legislature, passed a year ago June. In it it called for a study to be completed within 330 days. That study that was supposed to have been done by the Department of

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Public Works was not done and I raised that issue in June at both full Legislative meetings and I asked for a copy and the Clerk's office went scurrying to find one for me and subsequently I was told there was no study. I'm distressed to hear that because now I read in the proposed legislation today that there is a proposal for a hybrid vehicle out of the County Executive's Office. And the disturbing thing about that is that you're still using gasoline, the Solar Port is not. And I use as the example the Solar Port of San Diego -- pardon me, Santa Monica, California, which has 39 available spaces for electric cars and uses no electricity and provides enough excess electricity for its civic auditorium. It just seems to me that if the -- if Suffolk County is going to displace some of its SUV vehicles with other types of alternate vehicles, it's important to switch to Solar Ports and be a kind of visionary Legislature to bring on electric cars.

One final point, and that's the -- you have on your docket IR 1296 which calls for a policy for the Southwest Sewer District followed by three proposals to hook-up to the Southwest Sewer District. I would urge that before those -- let's see, No. 11 -- 1320, 21 and 24 be dealt with, that you solve the question of policy. There are too many residential homeowners in the Southwest Sewer District that are not currently hooked up and you're approaching capacity and the cost, according to a resolution introduced by Maxine Postal, according to a study, the annual cost per homeowner would be a prohibitive \$1,543 per year if the Southwest Sewer District had to be expanded. My suggestion is that you adopt a policy before you allow any more hook-ups. Thank you very much.

VICE-CHAIRMAN FOLEY:

Thank you, Peter. And we do intend to ask for the department to respond, particularly to the point you raise of the Solar Port Study,

where that exists or doesn't exist and why or why not. Before we do that, we have one more speaker from the public. Jessica Ottney, Citizens Campaign for the Environment and it's regarding 1543, a resolution that would implement leadership and energy environment design, LEED, L-E-E-D, Program for future County construction projects. Ms. Ottney?

MS. OTTNEY:

Thank you for your time. I've submitted a memorandum of support of this resolution to the stenographer. Simply, Citizens Campaign for the Environment is a Statewide organization representing 80,000 members and we've been working for 18 years on Long Island and throughout New York State to protect the natural environment and public health. And CCE strongly supports this resolution through all of the process it needs to go through to pass through the whole Legislature for a number of reasons.

There are many nations around the world that are using LEED standards now and also different states, for instance, New Jersey has just required that all new public schools be LEED certified, Seattle has a policy saying that any building, any public building over 5,000 square feet must be rated as LEED silver according to those standards and there are many different benefits that we'd like to cite to this, one being the reduction of use of fossil fuel generated electricity. This

would allow the County to decrease the use of foreign oil, decrease the use of energy that's produced by dirty and polluting fossil fuel resources which have been linked to several different types of environmental problems such as acid rain, smog, ozone depletion, global warming, the discharge of polluted water, habitat loss and health effects such as asthma, allergies, respiratory illnesses and, according to the EPA, 10,000 deaths a year throughout the nation. This will also assist in reducing the amount of nitrogen loading and water bodies around the State and the County such as Long Island Sound. This would also increase the use of renewable energy by the County which is something that Citizens Campaign for the Environment would like to see the County work on and this would be a big step in the right direction.

So simply put, I'm just here to voice our support for this resolution. Thank you very much.

VICE-CHAIRMAN FOLEY:

Thank you, Ms. Ottney. We will be discussing this once the resolution

is up for a vote. The intention, at least for this committee cycle, is to table one more time and the sponsor of the bill, it's my understanding, will be working with a number of people prior to the next committee meeting in order to move the bill forward.

Okay, those were the two speakers from the public. Is there anyone else from the public who would wish to speak before we go to the agenda?

Hearing none, if Chief Deputy Commissioner LaValle could step forward. Commissioner Bartha is there, I didn't see him behind John; step forward, please.

LEG. CRECCA:

I just thought there was a major coup that was about to happen.

VICE-CHAIRMAN FOLEY:

I did say --

LEG. CRECCA:

Charlie looked excited about it.

VICE-CHAIRMAN FOLEY:

I did say Chief Deputy Commissioner, so.

COMMISSIONER BARTHA:

Always try to sit behind a big guy.

VICE-CHAIRMAN FOLEY:

Before we get to the agenda, if colleagues have any questions about any particular projects, whether in one's district or Countywide; any questions? Legislator Crecca.

LEG. CRECCA:

Yeah, Public Works hasn't shown up at my house to do those projects for weeks now. No, just a joke.

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LEG. LINDSAY:

Don't give up your day job.

LEG. CRECCA:

Yeah, I know. Forget it.

VICE-CHAIRMAN FOLEY:

There's a true story to that which someone in the department --

LEG. CRECCA:

It has nothing to do with me, I don't even know what Brian is talking about, just for the record.

VICE-CHAIRMAN FOLEY:

Not with you, it was about 15 years ago.

Commissioner, two things in my district that I wanted to bring to your attention, one of which Legislator Lindsay has also been interested in as has the Holbrook Chamber of Commerce. We had appropriated monies in the spring time for a sidewalk construction on the west side of County Road 19 south of the Expressway. And it started in earnest after we appropriated the monies, but literally months have gone by and no -- there's been no follow through, if you will, after the initial clearing of certain part of the right-of-way. And there was an issue with the guide-rail but it still hasn't been moved so people are quite anxious about seeing that project move forward because it's an area of the roadway where there are more walkers, but presently and until there's a sidewalk, they walk on the shoulder area which, as we know, it's a busy area of the County Road. As quickly as that can get done, the better it will be for the pedestrians in the area. I know the Chamber is very keen about this as well.

COMMISSIONER BARTHA:

We'll get back to you by the end of week with the status on that.

VICE-CHAIRMAN FOLEY:

Thank you very much. Secondly, at the end of Nicoll's Road, the project to repave Montauk Highway from Bayport through Patchogue is completed, the road is nice and smooth, they've done a wonderful job there. Some of the striping has taken place but over a month has gone by with not all the striping being completed and I would hope that that would be done in the near future as well. In fact, there is some crosswalk striping that has not happened, the outline is there but it still hasn't occurred, the actual striping, which particularly near the post office and Bluepoint and a couple of other places in Patchogue, it's going to make a world of difference. So if that can be moved on by your contractor, that would be appreciated.

Finally, if you could respond or have someone from your staff could respond to Mr. Quinn's comments about the Solar Port Study, where it is.

COMMISSIONER BARTHA:

Yes. I don't have the resolution in front of me but we've worked with Legislator Postal on that. It's my recollection that the resolution directed us to work with NYSERTA which then NYSERTA directed us to



work with LIPA to find a funding source for this and then it requires us to go back to the Legislature with the funding source and to the 330 days starts running when we have funding source in order to have the study conducted. We have reached out to California where some information has been related to us and they had somewhat mixed results as to their satisfaction with it.

VICE-CHAIRMAN FOLEY:

So when do we expect to get a study under way, is there some --

COMMISSIONER BARTHA:

I --

VICE-CHAIRMAN FOLEY:

The sponsor of the bill was the Presiding Officer, correct?

COMMISSIONER BARTHA:

Right, that's my recollection.

VICE-CHAIRMAN FOLEY:

And have we spoken to the Presiding Officer lately?

COMMISSIONER BARTHA:

Within the past week or two weeks, yes.

VICE-CHAIRMAN FOLEY:

And what was the response from her office; what has she requested?

COMMISSIONER BARTHA:

She was requesting the status of it and we said that we're working with LIPA to try to identify funding for such a study before we proceed.

VICE-CHAIRMAN FOLEY:

We'll certainly speak with the sponsor of the bill and I'm sure Mr. Quinn would also like to contact the Presiding Officer as the sponsor of the bill to give an additional perspective on that.

Before we get to the resolutions, there's two other items. Earlier in the year we had approved the Road Resurfacing Program for the County; can you give us a status report on when you expect to have those projects under way?

COMMISSIONER BARTHA:

Work orders went out on probably a third of that work already and the work will continue through the summer and fall, we expect to have it completed before the end of the year.

VICE-CHAIRMAN FOLEY:

And on County Road 15, a resolution we approved in June, when would we expect to go out to bid on that particular project; County Road 51, the reconstruction project?

COMMISSIONER BARTHA:

That we are planning to put out to bid in September.

VICE-CHAIRMAN FOLEY:

If the bid goes out in September, would the work be done this year or would it be done early next; what's your expectation?

COMMISSIONER BARTHA:

It's possible that work could start late this year but unlikely.

VICE-CHAIRMAN FOLEY:

And the reason you have to wait until September when it was approved in June is why?

COMMISSIONER BARTHA:

It's a question of putting the specifications together and advertising the work.

VICE-CHAIRMAN FOLEY:

Because it's not simply a resurfacing program, it's more involved than that.

COMMISSIONER BARTHA:

Right, it's very involved. It's a -- we did a pilot on the technique a couple of years ago and we're satisfied with the technique where there's the fly-ash subgrade, but not all of that road has a fly-ash subgrade, some of it has concrete panels so we have to work something out for the repairs of joints and the concrete panel area as well as the mix in place for the fly-ash space area.

VICE-CHAIRMAN FOLEY:

We're not placing down fly-ash, the fly-ash is already there and that's been part of the problem, right?



COMMISSIONER BARTHA:

Correct.

VICE-CHAIRMAN FOLEY:

All right. Any other questions from the committee?

LEG. CRECCA:

Yeah, just one.

VICE-CHAIRMAN FOLEY:

Legislator Crecca.

LEG. CRECCA:

Charlie, do you -- when do you anticipate a start date of construction for the Juvenile Detention Center? I know that -- or if you don't know that that's fine, I can get back to Tedd, I know Tedd was --

COMMISSIONER BARTHA:

I'll get back to you on that one. We --

LEG. CRECCA:

I know they were talking about the fall, you know, by September they should be able to start, the RFP went out, right?

COMMISSIONER BARTHA:

We have been working with the trade unions, Building Trades Council on project labor agreement. We had a couple of issues that were rather knotty and have resolved them within the past week, that will allow several jobs to go out to bid.

LEG. CRECCA:

Has the RFP -- the proposal went out, though, right?

COMMISSIONER BARTHA:

The advertisement? Yeah.

LEG. CRECCA:

The request for the proposal, right?

COMMISSIONER BARTHA:

The advertisement for bids.

MR. LAGUARDIA:

It has not gone out yet, Charlie.

LEG. CRECCA:

Oh, it hasn't.

COMMISSIONER BARTHA:

Not yet because it ties in to this project labor issue that I just had related, but that is resolved and we should be -- approximately a month we'll have it out.

LEG. CRECCA:

Okay. Yeah, if you could have somebody from the department just keep me informed on that, I would really appreciate it. Thank you.

VICE-CHAIRMAN FOLEY:

Legislator Lindsay.

LEG. LINDSAY:

The court renovations, Charlie, one of the courts; same thing?

COMMISSIONER BARTHA:

Court renovations, that same issue applied there although that was scheduled to be bid a little bit later, we should be bidding that September, October.

VICE-CHAIRMAN FOLEY:

Just to chime in, the old Infirmary on Yaphank Ave, when is that work getting under way?

COMMISSIONER BARTHA:

It's all part of the same issues and it's in the next -- next two to three months all these jobs will be --

VICE-CHAIRMAN FOLEY:

We're making progress, we're making progress; very good. Okay, we're going to go right to the agenda.

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## Table Resolutions

1207-03 - Authorizing of alteration of rates for Sayville Ferry Service, Inc., for Cross Bay Service between Sayville, New York and

the Fire Island Communities of Fire Island Pines, Cherry Grove and Water Island (Presiding Officer Postal). Are we ready to move on this, Mr. Ortiz?

MR. SPERO:

The resolution should be tabled. We met with the attorney from the ferry company I think within the last few days trying to resolve certain issues vis-a-vis some receivables that go back several years with the company and we've taken issue with in the past.

LEG. LINDSAY:

Motion to table.

VICE-CHAIRMAN FOLEY:

All right, it's receivables. Are there other outstanding issues that -- because this has been on our docket for quite some time. How many times have we spoken with the attorney for the ferry?

MR. SPERO:

We haven't been satisfied with the information we have gotten from the attorneys.

VICE-CHAIRMAN FOLEY:

Where has it been deficient?

MR. SPERO:

There's been a little shift in the direction with the company since the passing of Ken Stein, Sr., and I'll just leave it at that, with the management between --

VICE-CHAIRMAN FOLEY:

When do we -- let's put it this way, when do we expect to have the answers to the questions that you've raised? Over how long a period of time have you raised these questions and you still haven't received the answers?

MR. SPERO:

Several months we've been bringing these issues up.

VICE-CHAIRMAN FOLEY:

To the attorney and they haven't been addressed yet? Do you expect that they'll be addressed within the next committee cycle?

MR. SPERO:

We could issue a report with exceptions with what we find in the report and then the Legislature can deal with those exceptions as it sees fit.

VICE-CHAIRMAN FOLEY:

Was there any timeframe given by the attorney as to when he would be

responding satisfactory to your --

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MR. SPERO:

I don't have the details. I could ask Kevin Duffy to come in if you'd like to --

VICE-CHAIRMAN FOLEY:

Well, we're going to table this and we'll speak to Kevin later. But I would like to have on the record as to when he -- if he's been given any time frame in which the attorney is going to --

MR. SPERO:

I have to get back to the committee on that.

VICE-CHAIRMAN FOLEY:

Before the end, if you could have Kevin come in for that particular one. So the motion has been tabled -- the motion has been seconded to table. All in favor? Opposed? 1207 is tabled (VOTE: 3-0-0-2 Not Present: Legislators Caracappa & Guldi). But I would like to hear from Mr. Duffy as to when the attorney is going to forward some of the information that's been requested.

Okay, 1296-03 - A Local Law to establish policy for connection by premises outside Southwest Sewer District No. 3 (Presiding Officer Postal).

LEG. CRECCA:

Motion to table.

VICE-CHAIRMAN FOLEY:

Motion to table. Okay, I'll second that motion. All in favor? Opposed? 1296 is tabled (VOTE: 3-0-0-2 Not Present: Legislators Caracappa & Guldi).

1320-03 - Authorizing the connection and discharge to the Suffolk County Sewer District No. 3 - Southwest by 50 Republic Road - HU 1379 (County Executive).

LEG. CRECCA:

Motion to approve for the purpose of discussion.

VICE-CHAIRMAN FOLEY:

Motion to table?

LEG. CRECCA:

No, I said motion to approve for the purpose of discussion.

VICE-CHAIRMAN FOLEY:

All right, I'll second the motion to approve. I'm looking at the notes from -- Mr. Sabatino couldn't be here today, he had a recent surgical procedure that he couldn't attend. We tabled this resolution for formal disclosure -- where are we now, 1320? Tabled for formal discussion -- all right, the disclosure statement has been submitted. So Charlie, is there anything else you'd like to add on this one?

COMMISSIONER BARTHA:

Not unless there are any questions.

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LEG. CRECCA:

The department is obviously in favor of this?

COMMISSIONER BARTHA:

We support this, it brings revenue into the district and we have available capacity.

LEG. CRECCA:

And it was approved by the Sewer Agency apparently, correct?

COMMISSIONER BARTHA:

Correct.

VICE-CHAIRMAN FOLEY:

Okay. All in favor? Opposed? 1320 is approved (VOTE: 3-0-0-2  
Not Present: Legislators Caracappa & Guldi).

Okay, 1321-03 - Authorizing the connection and discharge to the Suffolk County Sewer District No. 3 - Southwest by 115 Broadhollow Road Plat - HU 1390 (County Executive). We had tabled this at the last meeting. I will make a motion to table subject to call. It's my understanding, Charlie, that the applicant does not wish to connect; 1321?

COMMISSIONER BARTHA:

That's correct.

VICE-CHAIRMAN FOLEY:

Is there any position the department has on that? They want to build their own site.

COMMISSIONER BARTHA:

Right. We don't have a strong position on this.

LEG. LINDSAY:

Why would we go?

VICE-CHAIRMAN FOLEY:

That's what I'm saying, we're tabling it, tabled subject to call.

COMMISSIONER BARTHA:

If I could interject here.

VICE-CHAIRMAN FOLEY:

Yes, please. Go ahead.

COMMISSIONER BARTHA:

I think the applicant would prefer to see it defeated which would allow them to proceed to do an on-site treatment process and contact the Health Department.

VICE-CHAIRMAN FOLEY:

Okay. Motion to approve for purposes of defeating.

LEG. CRECCA:

Second.

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VICE-CHAIRMAN FOLEY:

All in favor? Opposed? Three opposed. The resolution is defeated (VOTE: 0-3-0-2 Not Present: Legislators Caracappa & Guldi).

1324-03 - Authorizing the connection and discharge to the Suffolk County Sewer District No. 3 - Southwest by Belmont Villas (County Executive). This was an issue with --

LEG. LINDSAY:

Where is Belmont Villas?

VICE-CHAIRMAN FOLEY:

-- a disclosure statement. Commissioner, could you please give us an outline on this?

COMMISSIONER BARTHA:

Belmont Villas is a 164 unit planned retirement community in Wyandanch and it's not within the Sewer district. They will construct a pump station that will be adequate to serve additional properties should they wish to connect in the future to the sewer district consistent with the Local Law that Legislator Postal has proposed, 1296. We support this connection.

VICE-CHAIRMAN FOLEY:

Okay.

LEG. CRECCA:

Motion to approve.

VICE-CHAIRMAN FOLEY:

Second by the Chair. All in favor? Opposed? 1324 is approved (VOTE: 3-0-0-2 Not Present: Legislators Caracappa & Guldi).

1325-03 - Authorizing the increase in flow to a previously approved agreement to connect and discharge to the Suffolk County Sewer District No. 3 - Southwest by Comtech - HU 1296 (County Executive). Commissioner?

COMMISSIONER BARTHA:

Again, this is a situation where it would be a connection to Southwest Sewer District. It would increase revenues, provide a connection fee, there's available capacity.

VICE-CHAIRMAN FOLEY:

You're talking about number of gallons per day is 2,400 gallons per day.

COMMISSIONER BARTHA:

Well, it was previously approved for 2,400, right now this is an increase of less than that; it's only a hundred gallons a day increase.

VICE-CHAIRMAN FOLEY:

Really? Okay. Motion by the Chair, seconded by Legislator Crecca. All in favor? Opposed? 1325 is approved (VOTE: 3-0-0-2 Not Present: Legislators Caracappa & Guldi).



1765)(County Executive). A CN? Okay, I notice a CN, Phil? A CN was approved on June 24 for that? Okay, strike that then.

1531-03 - Approving amended Cross Bay Ferry License for Bay Shore Ferry, Inc. (Presiding Officer Postal). James, there was a lot of discussion of this at the last General Meeting, negotiations were going on from the podium. Can you tell us where this stands today?

MR. SPERO:

Kevin unfortunately is out for the rest of the afternoon.

VICE-CHAIRMAN FOLEY:

He was here in the morning but not here for the afternoon.

MR. SPERO:

Yes, he was here.

VICE-CHAIRMAN FOLEY:

Even though the Public Works Committee meeting was in the afternoon.

MR. SPERO:

Other than what transpired at the last meetings back in June, I can't discuss it further than that.

LEG. CRECCA:

Motion to table.

LEG. LINDSAY:

I don't believe this is time sensitive anymore --

LEG. CRECCA:

It's not.

LEG. LINDSAY:

They needed this approved at the last meeting to cover their busy schedule.

LEG. CRECCA:

Right. I don't even know if it's relevant any more.

LEG. LINDSAY:

We might as well wait a couple of more weeks to get -- yeah.

MR. HURLEY:

It's definitely time sensitive.

LEG. CRECCA:

What's that?

VICE-CHAIRMAN FOLEY:

Hold on a second. We'll allow the applicant to step forward. Come on, step forward, state your name for the record.

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MR. HURLEY:

Ned Hurley.

VICE-CHAIRMAN FOLEY:

No, no, by this time you've got to know the drill; speak into the mike.

MR. HURLEY:

Ned Hurley.

VICE-CHAIRMAN FOLEY:

Okay.

MR. HURLEY:

It is time sensitive. If you approve this and then it goes to August 5th, I'll be able to run with these leased boats for four weekends.

VICE-CHAIRMAN FOLEY:

Well, the problem we have, Ned, and it's our apologies, the person who is working on this in the Budget Review Office should have been here this afternoon. This is a resolution that's been in the hopper for quite some time. Mr. Duffy, for whatever reason, is not here right now and it escapes me as to why he's not. I mean, you know --

MR. HURLEY:

The lease is -- which was amended by at the last meeting which was signed by the parties and agreeable to your Counsel, Paul Sabatino, said this is fine. And so you have that, you have the amended part that he wanted to make it which is clause four.

VICE-CHAIRMAN FOLEY:

Mr. Hurley, we're going to do this. Because the principal analyst from the Budget Review office is not here, I will speak to him prior to next Tuesday, okay? And if in fact all the concerns have been addressed that were raised at prior committee meetings as well as from the prior General Meeting, then a motion can be made on Tuesday to discharge from committee. I'm not promising that right now but I do want to hear from -- and by rights, the way this process works and should work, we should hear from the principal analyst about this and

why he's not here, there's no satisfactory answer to that. But we still have the option if we've had, let's say, sufficient information and new information from Mr. Duffy to move forward with a discharge motion on Tuesday. So we're going to have to --

MR. HURLEY:  
Okay, no problem.

VICE-CHAIRMAN FOLEY:  
Table it today until we can speak with --

LEG. LINDSAY:  
Motion to discharge without recommendation.

VICE-CHAIRMAN FOLEY:  
I don't want -- well, I wouldn't want to do that because I want to

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hear from Mr. Duffy and then we can take it from there. Do you know when Mr. Duffy will be back, Jim?

MR. SPERO:  
Monday I believe. I thought he'd be here this afternoon, but something must have come up that I wasn't aware of.

VICE-CHAIRMAN FOLEY:  
All right. Well, I will speak after the meeting but I would hope that you would be able to contact him, if he's on route to Riverhead. Okay, there's a motion to table by the Chair, second by Legislator Crecca. All in favor? Opposed? 1531 is tabled (VOTE: 3-0-0-2 Not Present: Legislators Caracappa & Guldi).

1543-03 - Implementing Leadership in Energy and Environment Design, LEED, Program for future County construction projects (Viloria-Fisher). I'll make a motion to table, there's some issues that I think the sponsor is still working out. Is there a second on the motion? Legislator Crecca, second the motion to table? The LEED, 1543.

LEG. CRECCA:  
Sure, yes.

VICE-CHAIRMAN FOLEY:  
Okay. There's been a motion and a second. All in favor? Opposed?

1543 is tabled (VOTE: 3-0-0-2 Not Present: Legislators Caracappa & Guldi).

### Introductory Resolutions

1575-03 - Amending the 2003 Capital Budget & Program and appropriating funds in connection with the purchase of Hybrid Electric Vehicles (CP 1778)(County Executive). Commissioner, let's hear from you on this one.

COMMISSIONER BARTHA:

We're proposing to purchase six Hybrid Electric Vehicles at a cost of \$25,000 each. The way these vehicles operate is they have an internal combustion engine as well as battery driven electric motor. The batteries are recharged when the internal combustion engine is running and the internal combustion engine only runs if the batteries have dropped to a level too low to operate the vehicle in the electric mode. So we thought this would be a good pilot program and the Legislature included the money in the Capital Program and Budget.

LEG. CRECCA:

The amendment goes from G-Money to B-Money, is that what it is; it goes from pay-as-you-go to bonding, right?

COMMISSIONER BARTHA:

Yes.

LEG. CRECCA:

Does Budget Review recommend this?

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MR. SPERO:

Yeah. This was a Legislative initiative and we believe it will be a good test program to see how these vehicles work in the County fleet for general -- for County purposes.

LEG. CRECCA:

Charlie, where are the vehicles going to be -- or that hasn't been decided yet where they're going to be assigned?

COMMISSIONER BARTHA:

No, we haven't reached that stage yet.

LEG. CRECCA:

They're regular cars, though?

COMMISSIONER BARTHA:

Yes. And we would look to deploy them in different areas in order to test them. I believe they actually may be vans as well.

LEG. CRECCA:

You might want to talk to the Parks Department because in Blydenburgh we got LIPA -- we did a program there, a pilot program where we converted all the vehicles, including a couple of trucks to all electric vehicles and LIPA funded that, the Clean Energy Initiative funded those payments, didn't cost the County anything. And my understanding is that it was a pretty successful program, not just for the vehicles but for the equipment and how they worked out there and what type of vehicles they used. They also have some experts over at LIPA and KeySpan who are heavily involved in this who have a tremendous amount of knowledge in this area who may be able to help you with the charging stations and the best way to operate them.

COMMISSIONER BARTHA:

We do actually work closely with LIPA and they have been very helpful in a number of different initiatives, including the project we're doing right at this building. But there will be no charging stations for these, these will recharge themselves when they're working in the internal combustion mode.

LEG. CRECCA:

Oh, really?

COMMISSIONER BARTHA:

Yeah, which it saves you the problem of dealing with charging stations. So if this works as well as it appears to be able to, it could be very good.

VICE-CHAIRMAN FOLEY:

Motion by the Chair, seconded by Legislator Lindsay. All in favor? Opposed? 1575 is approved (VOTE: 3-0-0-2 Not Present: Legislators Caracappa & Guldi). Good luck with that. And I'm sure there are other municipalities that have purchased these vehicles so we can learn from those other municipalities and avoid the mistakes that some of them may have made in the past.

1576-03 - Transferring escrow account revenues to the Capital Fund, amending the 2003 Capital Budget & appropriating funds for an Engineering Evaluation of the Ocean Outfall in Suffolk County Sewer District No. 3 - Southwest (CP 8108) (County Executive). Motion by Legislator Lindsay, second by the Chair. Commissioner, can you tell us about this ocean outfall.

COMMISSIONER BARTHA:

The outfall sewer which is the pipe which brings the treated effluent from Bergen Point to the ocean, a portion of it is this prestressed steel cylinder pipe which is you have a steel cylinder, it's coated with concrete and then prestressed wire, which is thin wire, is wrapped very tightly around it to provide strength and then you -- then it's coated with concrete and water again. We had learned that in other municipalities there had been some deterioration in pipe of this type and manufacturer. We performed some tests using hydrophones to detect noise, noise being the sound of wires breaking, it was conducted over a period of time. We believe from the study that we did that there's reason to be concerned about the long-term integrity of the pipe and with proposing to appropriate funds to do the engineering study for it. We have -- some funds have already been appropriated and we are -- we have selected an engineer and they're working on this in a fasttrack mode. This would provide enough funds to do the complete engineering for the project.

LEG. CRECCA:

Charlie, it's coming out of the Sewer District Agency Fund for Sewer District, right?

COMMISSIONER BARTHA:

Right, the connection fees that the district receives from businesses like -- and residences as you approved earlier.

LEG. CRECCA:

What type of dollars are you talking about to replace such a pipe, say there was a failure?

COMMISSIONER BARTHA:

Depending on how much of it had to be replaced, it could be a few sections which would not be significant, but if the recommendation is to replace the -- it's about a three mile portion that is suspect, that costs -- you mean you're asking me to guesstimate.

LEG. CRECCA:

Yeah, totally a guesstimate.

COMMISSIONER BARTHA:

This isn't in the budget, this is a guesstimate, it could be in the order of 30 or \$40 million.

LEG. CRECCA:

The reason I was asking is because you're talking about \$790,000 for this engineering study, but given the potential impact, of course, it's peanuts compared to 30 million, so.

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VICE-CHAIRMAN FOLEY:

If you go to page two, it's actually closer to a million and a half for design and engineering; correct, Commissioner?

COMMISSIONER BARTHA:

That's correct.

VICE-CHAIRMAN FOLEY:

Okay. Is there any liability for the company that -- well, is there any liability?

COMMISSIONER BARTHA:

At this point it's 20 years ago, I wouldn't want to comment publicly on that but --

VICE-CHAIRMAN FOLEY:

Has that been looked into?

COMMISSIONER BARTHA:

Once we establish that there is, in fact, a problem we work with the County Attorney's Office.

VICE-CHAIRMAN FOLEY:

You plan to do that.

COMMISSIONER BARTHA:

Yes.

VICE-CHAIRMAN FOLEY:

Okay. All right. So there's a motion by the Chair, second by Legislator Lindsay. All in favor? Opposed? 1576 is approved (VOTE: 3-0-0-2 Not Present: Legislators Caracappa & Guldi).

1577-03 - Transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2003 Operating Budget, amending the 2003 Capital Budget & Program and appropriating funds for a SCADA (Surveillance, Control and Data Acquisition) System for sanitary



facilities in Suffolk County Sewer Districts (CP 8165) (County Executive). Charlie, what's this about?

COMMISSIONER BARTHA:

This is basically an automated electronic system that will provide data on the status of the various pump stations and Sewer Districts to a central location and allow us to react quickly to any problems that develop.

VICE-CHAIRMAN FOLEY:

Well, how have you done it up till this point without this?

COMMISSIONER BARTHA:

Some pump -- most pump stations have an alarm system that's over telephone lines. You have a situation which you may have seen in Port Jeff Harbor from --

VICE-CHAIRMAN FOLEY:

This is in response to the Port Jeff Harbor -- no?

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COMMISSIONER BARTHA:

No, we had proposed this before that problem but this --

VICE-CHAIRMAN FOLEY:

If this was in place, how would things have been different?

COMMISSIONER BARTHA:

We would have know immediately that there was a problem and we would have been able to react to it.

VICE-CHAIRMAN FOLEY:

There's normally staff 24/7 at these facilities, no?

COMMISSIONER BARTHA:

Only Bergen Point.

VICE-CHAIRMAN FOLEY:

Okay. And this is one of Ben's pet projects?

COMMISSIONER BARTHA:

Yes.

VICE-CHAIRMAN FOLEY:

We want to do these things right; right, Ben?

MR. WRIGHT:

Right.

COMMISSIONER BARTHA:

Right without the W.

VICE-CHAIRMAN FOLEY:

There you go. All right, motion by Legislator Crecca, second by Legislator Lindsay. All in favor? Opposed? Before we call the vote, Budget Review, you have any issues with loaning the monies?

MR. SPERO:

No, we just have a comment. The next to last RESOLVED -- WHEREAS clause, it should say, "The loan should be a maximum of 20 years," not a minimum of 20 years.

VICE-CHAIRMAN FOLEY:

The WHEREAS?

LEG. CRECCA:

The RESOLVED.

VICE-CHAIRMAN FOLEY:

RESOLVED or WHEREAS?

MR. SPERO:

The next to last WHEREAS clause, "The repayment amount and schedule of payment of said loan will have a" -- it says minimum, we believe it should be a maximum payback period of 20 years.

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COMMISSIONER BARTHA:

Third from the last.

MR. SPERO:

Third from the last, excuse me.

LEG. CRECCA:

I think that's a scrivener's error, isn't it, Charlie?

COMMISSIONER BARTHA:

I really don't know. I have to check with the Budget Office.

MR. SPERO:

I'll see if we can treat it as a scrivener's error, we'll just make the correction.

LEG. CRECCA:

Yeah. Let's approve it with the -- I'd make a motion to approve it with changing the word minimum to maximum as a scrivener's error.

VICE-CHAIRMAN FOLEY:

Okay. And you'll follow up, Jim, with making sure that that's what they have intended? Okay. All in favor? Opposed? 1577 is approved with the change from minimum to maximum (VOTE: 4-0-0-1 Not Present: Legislator Caracappa).

All right, 1578-03 - Authorizing the filing of an application with the Federal Transit Administration, an operating administration of the United States Department of Transportation for Federal Transportation Assistance authorized by 49 U.S.C. Chapter 53 Title 23 United States Code and the other Federal Statutes Administered by the Federal Transit Administration (County Executive). Motion by the Chair, second by Legislator Lindsay. Commissioner, can you or Mr. Shinnick give us an outline of this resolution, please?

COMMISSIONER BARTHA:

The County share in this would be 10% and it would allow us to purchase up to eleven senior and handicapped accessible paratransit vehicles to replace vehicles in the existing fleet.

VICE-CHAIRMAN FOLEY:

They would be used by the County or they would be used by different townships?

COMMISSIONER BARTHA:

They would be used by the County, by the County's contracted bus providers.

VICE-CHAIRMAN FOLEY:

Okay. Now, what kind of -- being that we're just -- we're going to have a hybrid pilot study, what kind of vans are out there that will meet or exceed the standards?

COMMISSIONER BARTHA:

You asked me one question too many. Bob is right here.

VICE-CHAIRMAN FOLEY:

Bob, if you could. We're looking at purchasing vehicles that are state-of-the-art?

MR. SHINNICK:

State-of-the-art but we're looking at clean deisel at the current time.

VICE-CHAIRMAN FOLEY:

Clean deisel?

MR. SHINNICK:

Yes.

VICE-CHAIRMAN FOLEY:

There's no gas -- we're not looking at natural gas for these?

MR. SHINNICK:

We don't have the infrastructure at the bus carriers to fuel using natural gas.

VICE-CHAIRMAN FOLEY:

And how many vehicles are we talking about?

MR. SHINNICK:

Up to eleven.

VICE-CHAIRMAN FOLEY:

Okay. Motion by the Chair, second by Legislator Crecca. All in favor? Opposed? 1578 is approved (VOTE: 3-0-0-2 Not Present: Legislators Caracappa & Guldi).

1579-03 - Authorizing the filing of an application with the Federal Transit Administration, an operating administration of the United States Department of Transportation for Federal Transportation Assistance authorized by 49 U.S.C. Chapter 53 Title 23 United States Code and the other Federal Statues Administered by the Federal Transit Administration (County Executive). It's a similar -- same motion, same second. Can we hear from the Commissioner on this; now, this is 9.1 mill. Go ahead.

COMMISSIONER BARTHA:

In this case, it's to purchase up to 28 transit buses and 25 paratransit buses along with the radios and spare parts necessary.

VICE-CHAIRMAN FOLEY:

If Legislator Alden was a member of the committee, you know what questions he would raise. And even though we don't have the

infrastructure of natural gas, are we relying too much on deisel or what's the life expectancy for these new vans, for these new buses anyway?

MR. SHINNICK:

The buses themselves are 12 years. And the vans --

VICE-CHAIRMAN FOLEY:

Because a lot is going to happen obviously over the next twelve years in this area.

MR. SHINNICK:

A lot can happen. What is happening with the power trains for heavy duty engines is the fueling system, the fuels themselves in terms of deisel are becoming much, much cleaner and mandated by 2006 to have something called ultra low sulfur deisel in place; in 2007, the equipment that can handle that fuel will be in place. What we're buying now is the available equipment with the capabilities of burning the engine very clean, the fuel very clean, but we have to wait till the fuel is available till we get the fully enhanced power trains.

VICE-CHAIRMAN FOLEY:

And the fuel will be available in --

MR. SHINNICK:

Well, technically it's available now but it's mandated in 2006. It's considerably more expensive than regular fuel at the current time.

VICE-CHAIRMAN FOLEY:

And how would that impact our operating budget?

MR. SHINNICK:

Well, we're going to have to pay whatever the rate is at the time. And it is a fuel which can be -- no pun intended -- but a volatile matter in terms of paying for it. Natural gases has its wide swings as well as deisel fuel in terms of cost.

VICE-CHAIRMAN FOLEY:

Any other questions from the committee?

LEG. CRECCA:

I would just ask --

VICE-CHAIRMAN FOLEY:

Legislator Crecca.

LEG. CRECCA:

-- Mr. Chairman, if 1578 and 1579 could or should be placed on the consent calendar.

VICE-CHAIRMAN FOLEY:

Well, first we have to approve 79. There was a second -- there was a motion and a second. All in favor? Opposed? 1579 is approved (VOTE: 3-0-0-2 Not Present: Legislators Caracappa & Guldi).

It's not a hundred percent State -- County -- Federal monies, it's normally a 90/10 split I think, so we can't put it on the consent calendar.

MR. SHINNICK:

It's 80% Federal, 10% State.

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VICE-CHAIRMAN FOLEY:

Eighty, I stand corrected; 80-10-10?

COMMISSIONER BARTHA:

Yes.

LEG. CRECCA:

All right. But it's only to file the application, but I understand.

VICE-CHAIRMAN FOLEY:

Right. Okay, once we file, when do we think it's going to be executed, how long does it take?

MR. SHINNICK:

Well, once the bid -- excuse me. The grant applications are approved, which we believe will be October, we will begin to purchase the vans early in 2004. And we currently have a Capital Program to buy 28 large transit buses, this grant will allow us to put an option rider on that bid so that we'll be able to include those large buses with those 28, and they should be delivered hopefully in early 2005.

VICE-CHAIRMAN FOLEY:

Okay. Thank you very much.

All right, we'll move to 1580-03 - Accepting a Clean Water/Clean Air Bond Grant from the New York State Department of Environmental Conservation and authorizing execution of agreements to accept grants to improve Sewer District No. 1 - Port Jefferson (County Executive).

LEG. CRECCA:

Motion to approve and place on the consent calendar.

VICE-CHAIRMAN FOLEY:

Motion to approve by Legislator Crecca, second by the Chair. All in favor? Opposed? 1580 is approved (VOTE: 3-0-0-2 Not Present: Legislators Caracappa & Guldi).

Same motion, same second to place on the consent calendar. Although, I don't think we --

LEG. CRECCA:

It's a 100% grant, isn't it?

VICE-CHAIRMAN FOLEY:

I don't think -- no, it's not a 100% grant. This is a --

LEG. LINDSAY:

You talking about 80 or 81?

VICE-CHAIRMAN FOLEY:

Eighty. No, it's not because the State's share is 3 million, so I'll withdraw the second to your motion.

LEG. CRECCA:

I'm sorry.

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VICE-CHAIRMAN FOLEY:

It's okay. It's a \$3 million State share of Bond Act appropriations. All in favor? Opposed? 1580 is approved.

Commissioner, the only question I have, if you go to the last page, when Mr. Wright had received the congratulatory letter from Mr. {Kahill} on July 12th of 2000, and it's now July of 2003; without getting too involved but either from yourself or Mr. Wright, why does it take three years to execute an agreement?



COMMISSIONER BARTHA:

This has been -- this is not the first grant that we received and this is really the history of everything that's gone on in the project. And we are actually going to bid this job this year. So we --

VICE-CHAIRMAN FOLEY:

I stand corrected, there's another letter that you had received on April 9, okay, I see that, of '03. Go ahead, Commissioner.

COMMISSIONER BARTHA:

Yeah. So that's -- it's really the history of the backup here.

VICE-CHAIRMAN FOLEY:

I understand.

COMMISSIONER BARTHA:

As I said, it's more than one grant.

LEG. CRECCA:

I don't see any County -- there's no County -- I'm sorry.

VICE-CHAIRMAN FOLEY:

It's over nine million, State monies?

COMMISSIONER BARTHA:

It's a total of 12 million, the total project will be in the order of 17 million.

VICE-CHAIRMAN FOLEY:

For Port Jeff alone?

COMMISSIONER BARTHA:

For Port Jeff alone, yes.

LEG. CRECCA:

We're not -- there's no County share in this, is there?

COMMISSIONER BARTHA:

That money has already been appropriated.

LEG. CRECCA:

That's what I'm saying, so this is -- we can put this on the consent calendar.

VICE-CHAIRMAN FOLEY:

I'd rather leave it on this because others may have some questions

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about it. How much has the County appropriated for this?

COMMISSIONER BARTHA:

Ben, do you know how much has been appropriated so far?

VICE-CHAIRMAN FOLEY:

The difference of 9 and 17?

MR. WRIGHT:

Appropriated the engineering and planning fund, it's approximately a million and a half dollars. The project is slated to be bid in October and start next year and once the bids are received in October we would submit a resolution for the County's share which is listed in the adopted budget as coming -- the difference coming from the Assessment Stabilization Reserve Fund.

VICE-CHAIRMAN FOLEY:

Is this for the -- for what part of the operation?

MR. WRIGHT:

For reconstruction of the Sewage Treatment Plant to meet the Long Island requirements.

VICE-CHAIRMAN FOLEY:

Just to do with nitrogen?

MR. WRIGHT:

Yes.

VICE-CHAIRMAN FOLEY:

Principally nitrogen or are there other problems with it?

MR. WRIGHT:

It will reduce other pollutants as well, you know, because of the limited technology that we're using.

VICE-CHAIRMAN FOLEY:

Okay, thank you.

1581-03 - Accepting a Clean Water/Clean Air Bond Grant from the New York State Department of Environmental Conservation and authorizing execution of agreements to accept grants to improve Sewer District No. 21 - SUNY (County Executive). Same motion, same second, same vote. Approved (VOTE: 3-0-0-2 Not Present: Legislators Caracappa & Guldi). Any questions? Okay. Anything else on the SUNY Sewer District to make us aware of, 21?

COMMISSIONER BARTHA:

Well, you should be aware that we have installed a second chlorinator to back up the chlorinator that was in place. And we're also doing it so it will automatically switch from one to the other if there's a problem, whether we have it manned or not.

VICE-CHAIRMAN FOLEY:

Okay.

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LEG. LINDSAY:

Mr. Chair?

VICE-CHAIRMAN FOLEY:

Yes, Legislator Lindsay.

LEG. LINDSAY:

What is that plan, Charlie, about 10 or 15 years old now.

MR. WRIGHT:

Yeah, 1989.

COMMISSIONER BARTHA:

It's new to me, but --

LEG. LINDSAY:

Yeah, that's what I thought, I thought it was fairly new. And the technology has increased that dramatically since then as far as the treatment of especially nitrogen?

COMMISSIONER BARTHA:

Well, we warned about this several years ago when there was a push on to reduce the nitrogen to Long Island Sound, that this was really pushing at the edge of technology. We treat to about ten milligrams per liter now as our permit of nitrogen, we're allowed to discharge which is what we're allowed to discharge to groundwater. The permits in the future will bring us down to six milligrams per liter which is really at the edge of what technology says you're able to do, so this is very much on the edge project.

VICE-CHAIRMAN FOLEY:

Okay.

## Sense Resolutions

VICE-CHAIRMAN FOLEY:

Finally, there is a Sense 54-2003 - Memorializing Sense Resolution requesting State of New York to implement Leadership in Energy and Environment Design (LEED) Program for future State construction projects (Viloria-Fisher).

LEG. CRECCA:

Motion to table.

VICE-CHAIRMAN FOLEY:

We'll make for this committee cycle a motion to table this motion, speak with the sponsor, the Chair will second the motion. All in favor? Opposed? Sense 54 is tabled (VOTE: 3-0-0-2 Not Present: Legislators Caracappa & Guldi).

Is there any other business to be brought before the committee? Okay. Hearing none, committee meeting adjourned. Thank you.

(\*The meeting was adjourned at 4:10 P.M.\*)

Legislator Joseph Caracappa, Chairman  
Public Works & Public Transportation Committee

{ } - Denotes Spelled Phonetically